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OGC 60-0705

19 MAY 1960

MEMORANDUM FOR: The Director of Central Intelligence

**SUBJECT: Conversation with Mr. Robert Smart, Chief
Counsel, House Armed Services Committee**

1. This memorandum contains a recommendation submitted for approval of the Director of Central Intelligence. Such recommendation is contained in paragraph 6.

2. At the request of Robert Smart, I met with him and he advised that Chairman Vinson on his return to Washington had wanted information on the U-2 based on your briefing of the Kilday Subcommittee at which Smart was present. Vinson asked Smart if this activity had ever been disclosed to the Subcommittee in any way. Smart advised him that it had not. Smart reports that Vinson's comment was that it is obvious that the Agency is only telling the Subcommittee what it wishes to reveal. Allegedly Vinson further stated that apparently the only real purpose being served by the CIA Subcommittee was to avoid a joint committee on intelligence matters.

3. Smart also stated that in the past Mr. Kilday has spoken of the CIA Subcommittee as being another chore and that as far as Kilday was concerned it made little difference whether a joint committee on the Agency were established and that he had no feelings about retaining jurisdiction over CIA in Armed Services. Smart further stated that as yet Mr. Kilday has not raised the point that the Subcommittee was not briefed on the U-2 operations.

4. Mr. Smart thought we should be aware of the above in light of the eventual dawning on Mr. Kilday that the Subcommittee had not received prior briefings.

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3. Mr. Smart on his own obviously believes that the Agency did not discharge its responsibility in a candid manner with respect to the Subcommittee mentioning that having been appointed as counsel to the Subcommittee he did not want any more information concerning the secrets of the country except those necessary to the discharge of his responsibilities. He also repeated as his own view that the CIA Subcommittee has served no real purpose other than to keep a joint committee off the Agency's back. In my opinion, Mr. Smart occupies a unique position of confidence and trust insofar as Mr. Vinson is concerned and his views undoubtedly are a strong factor with Mr. Vinson as well as with Mr. Kilday. I believe this is a serious setback in our relations with Mr. Vinson and Mr. Kilday which could have a significant effect on the outcome of the establishment of a joint committee in the next Congress.

4. It is doubtful that anything can be done at this point to change entirely the situation reported above. Possibly an informal visit by the DCI with Mr. Vinson might help. On the other hand, this might not set well with Mr. Kilday. I believe a somewhat more positive course would alleviate the situation. I would recommend that within the near future we offer a further general briefing to the Kilday Subcommittee. At this briefing we would put before them all of the major projects which could possibly have an impact on future events. I can think of a significant new project in WII involving Cuba. Also the oversight and resupply projects in FE would appear appropriate. Certainly the major new projects in OPD should be included. If the question is to come up about prior briefing of the Subcommittee on the U-2 situation, I believe it would be better if they raised it. The impact of this point would certainly be lessened by such briefings as described above.

s/ John S. Warner

JOHN S. WARNER
Legislative Counsel

The recommendation in paragraph 4 is approved.

Date

OGC/LC:JSW:mks (18 May 1960)

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ALLEN W. DULLES
Director

MEMORANDUM FOR: **THE DIRECTOR**

Attached is a memorandum reporting my conversation with Bob Smart concerning Vinson's reaction to the U-2 incident. I gather Dick Bissell mentioned this at the morning meeting. Certainly he indicated full agreement with my proposal to offer the Kilday group a detailed briefing on some of our sensitive and more significant projects. I think this is most important in developing a proper atmosphere in which to face up to the problem of a joint committee in the next Congress.

If you desire, I will be glad to discuss this in full detail.

20 May 1960

(DATE)

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Legislative Counsel

FORM NO. 101 REPLACES FORM 10-101
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Remarks: I think the import of the attached is of great significance and may be a very large factor in consideration by the Congress next year of a Joint Committee on Intelligence. While we cannot change the facts of the situation, I believe we should attempt to alleviate it and have suggested the approach indicated. I plan to forward this to the Director immediately unless you have some other thoughts. <div style="text-align: right;"> <i>/s/</i> John S. Warner </div>			
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